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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/497,773	02/03/2000	Jerry E. Pierce	22789	7892

34456 7590 12/07/2004

TOLER & LARSON & ABEL L.L.P.  
5000 PLAZA ON THE LAKE STE 265  
AUSTIN, TX 78746

EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20041129

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Response to Appeal Brief

1. The Brief filed on 8/23/04 is not fully responsive because of the inadequate grouping of claims in section VII of the appeal brief. Per CFR 1.192 and MPEP 1206, (7) Grouping of claims. For each ground of rejection which appellant contests and which applies to a group of two or more claims, the Board shall select a single claim from the group and shall decide the appeal as to the ground of rejection on the basis of that claim alone unless a statement is included that the claims of the group do not stand or fall together and, in the argument under paragraph (c)(8) of this section, appellant explains why the claims of the group are believed to be separately patentable. Merely pointing out differences in what the claims cover is not an argument as to why the claims are separately patentable.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Michael Cuff at telephone number (703) 308-0610.

*Michael Cuff* 11/29/04  
MICHAEL CUFF  
PRIMARY EXAMINER